

PATENT

## C. REMARKS

Status of the Claims

Claims 1-27 are currently present in the Application, and claims 1, 8, 15, and 21 are independent claims. Applicants have elected Species II (claims 8-14 and 21-27) and have withdrawn from consideration claims 1-7 (Species I) and 15-20 (Species III), with traverse.

Species Election

The Examiner identified three distinct species (groups). Species I (claims 1-7) are directed to a configurable bus controller. Species II (claims 8-14, and 21-27) are directed to a method and computer media for an interface pin controller. Species III (claims 15-20) are directed to a system for information handling system using the method as substantially set forth in claims 8-14.

While Applicants have elected Species II, Applicants respectfully request that the restriction of Species III be removed as the claims identified in Species III are simply computer system claims corresponding to the method claims of claims 8-14. As set forth below, the MPEP supports Applicants request.

MPEP § 808.01 states as follows (emphasis added):

**808.01 Independent Inventions [R - 3]**

Where the inventions claimed are independent; i.e., where they are not connected in design, operation, or effect under the disclosure of the particular application under consideration (MPEP 806.04), the facts relied on for this conclusion are in essence the reasons for insisting upon restriction. *This situation, except for species, is but rarely presented, since persons will seldom file an application containing disclosures of independent things.*

Form Paragraph 8.20.02 may be used when claims are directed to independent, unrelated inventions.

**8.20.02 Independent Unrelated Inventions**

>Inventions [1] and [2] are unrelated. Inventions are unrelated if it can be shown that they are not disclosed as capable of use together, or they have different modes of

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operation, or they have different functions, or they have different effects. (MPEP 806.04, MPEP 808.01). In the instant case the different inventions [3] .<<

Examiner Note:

*This form paragraph is to be used only when claims are presented to totally unrelated independent inventive concepts, e.g., a washing machine and an airplane.*

As noted in the MPEP, it is rare for an Applicant to file an application containing disclosures of different things. As an example, the MPEP notes that claims directed to a washing machine and an airplane would require restriction. However, in this particular case, Applicants are certainly not claiming something so totally unrelated as a washing machine and an airplane. As discussed above, in Species II Applicants are claiming a method and computer program product (claims 8-14 and 21-27) that executes the method set forth in claims 8-14 on an information handling system (Species III, claims 15-20).

Therefore, at a minimum, the restriction of the claims in Species III from those in Species II is improper pursuant to applicable sections of the MPEP. Accordingly, Applicants respectfully request that the Examiner withdraw the restriction of Species III from Species II and allow Species II to include claims 8-27.

Conclusion

Applicants respectfully request that the Examiner contact the Applicants' attorney listed below if the Examiner believes that such a discussion would be helpful in resolving any remaining questions or issues related to this Application.

Respectfully submitted,

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